

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

CADE OYADOMORI and RANAE ) CIVIL NO. \_\_\_\_\_  
AWAKUNI, on behalf of themselves) (Class Action Complaint)  
and all others similarly )  
situated in the State of Hawaii,) )  
 ) AFFIDAVIT OF KUNIO KUWABE  
Plaintiffs, )  
 )  
vs. )  
 )  
CYPRESS SEMICONDUCTOR )  
CORPORATION; FUJITSU AMERICA, )  
INC.; FUJITSU LIMITED, INC.; )  
HITACHI AMERICA LTD.; HITACHI )  
LTD.; HYNIX SEMICONDUCTOR )  
AMERICA INC.; HYNIX )  
SEMICONDUCTOR INC.; MATSUSHITA )  
ELECTRIC INDUSTRIAL CO., LTD., )  
d/b/a PANASONIC; SEMICONDUCTOR )  
COMPANY, MATSUSHITA ELECTRIC )  
INDUSTRIAL CO., LTD.; MICRON )  
SEMICONDUCTOR PRODUCTS, INC., )  
d/b/a CRUCIAL TECHNOLOGY; MICRON )  
TECHNOLOGY, INC.; MITSUBISHI )  
ELECTRIC & ELECTRONICS USA, )  
INC.; MITSUBISHI ELECTRIC )  
CORPORATION; NEC ELECTRONICS )  
AMERICA, INC.; NEC ELECTRONICS )  
CORPORATION; RENESAS TECHNOLOGY )  
AMERICA, INC.; RENESAS )  
TECHNOLOGY CORP.; SAMSUNG )  
ELECTRONICS COMPANY LTD.; )  
SAMSUNG SEMICONDUCTOR, INC.; )  
SONY CORPORATION; SONY )  
CORPORATION OF AMERICA; SONY )  
ELECTRONICS, INC.; TOSHIBA )  
AMERICA CORPORATION; TOSHIBA )  
AMERICA ELECTRONIC COMPONENTS; )  
TOSHIBA CORPORATION; and JOHN )  
DOE 1 through 100; )  
 )  
Defendants. )  
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)

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SS :

CITY AND COUNTY OF HONOLULU )

KUNIO KUWABE, being first duly sworn on oath, deposes and says:

1. Affiant is an attorney duly licensed to practice in all the courts of the State of Hawaii and is one of the attorneys representing Plaintiffs in the above-entitled matter.

2. According to Hawaii law, H.R.S. § 480-13.3:

(a) A class action for claims for a violation of this chapter other than claims for unfair or deceptive acts or practices may be filed, and may be prosecuted on behalf of indirect purchasers by a person other than the attorney general as follows:

(1) A filed copy of the complaint and all relevant supporting and exculpatory materials in possession of the proposed class representative or its counsel shall be served on the attorney general not later than seven days after filing of the complaint. The complaint shall be filed in camera, and shall not be served on the defendant until the court so orders. The complaint shall remain under seal for at least sixty days after service upon the attorney general of the complaint and all relevant supporting and exculpatory materials in possession of the proposed class representative or its counsel. The defendant named

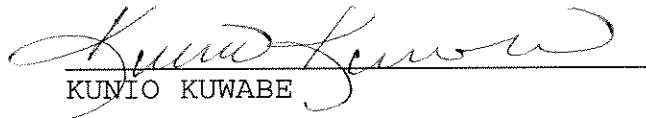
in the complaint shall not be required to respond to the complaint until twenty days after the complaint has been unsealed and served upon the defendant in accordance with the Hawaii rules of civil procedure[.]

...

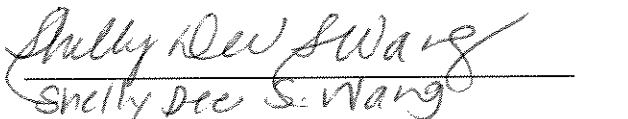
H.R.S. § 480-13.3 (emphasis added).

3. Based on the foregoing, Affiant's firm is requesting that the court seal the Complaint as required by law pending the decision of the Attorney General of the State of Hawaii and/or the passage of the statutory time allotted in H.R.S. § 480-13.3.

FURTHER AFFIANT SAYETH NAUGHT.

  
KUNIO KUWABE

Subscribed and sworn to before me  
this 15<sup>th</sup> day of December, 2006.

  
Shelly Dee S. Wang  
Notary Public, State of Hawaii  
My Commission expires: 9/27/07

